



## SE-214

### Selection Committee – Confidentiality and Conflict of Interest Policy

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AGENCY: \_\_\_\_\_

PROJECT NAME: \_\_\_\_\_

PROJECT NO.: \_\_\_\_\_

It is the policy of the State, the Agency, and this Selection Committee to abide by all laws, regulations, and policies regarding the avoidance of conflict of interest and the preservation of confidentiality. In order to assure a fair selection process that potential and actual offerors and the public trust, the Selection Committee for this project adopts the following policy:

#### **CONFIDENTIALITY:**

Prior to the issuance of an award or notification of intent to award, whichever is earlier, Selection Committee members shall not engage in conduct that—

- (1) Favors one offeror over another;
- (2) Reveals an offeror's technical solution, including unique technology, innovative and unique uses of commercial items, or any information that would compromise an offeror's intellectual property to another offeror;
- (3) Reveals an offeror's price without that offeror's permission. However, the procurement officer may inform an offeror that its price is considered by the State to be too high, or too low;
- (4) Reveals the names of individuals providing reference information about an offeror's past performance;  
or
- (5) Knowingly furnishes source selection information to anyone other than the responsible procurement officer. "Source selection information" means any of the following information that is related to or involved in the evaluation of an offer (e.g., bid or proposal) to enter into a procurement contract, if that information has not been previously made available to the public or disclosed publicly: (a) proposed costs or prices submitted in response to an agency solicitation, or lists of those proposed costs or prices, (b) source selection plans, (c) technical evaluation plans, (d) technical evaluations of proposals, (e) cost or price evaluations of proposals, (f) information regarding which proposals are determined to be reasonably susceptible of being selected for award, (g) rankings of responses, proposals, or competitors, (h) reports, evaluations of source selection panels or evaluation panels, (i) other information based on a case-by-case determination by the procurement officer that its disclosure would jeopardize the integrity or successful completion of the procurement to which the information relates.

#### **CONFLICT OF INTEREST:**

No conflict of interest, actual or apparent, shall exist, for any member of the Selection Committee due to (1) an ownership interest in an offeror held by the member or his/her immediate family, (2) an employment relationship with an offeror by the member or his/her immediate family, or (3) any other reason which may give rise to questions concerning the member's ability to be fair and impartial in his/her decisions.

I have read the confidentiality and conflict of interest policy for this project and I agree to abide with that policy.

### **CONFLICT OF INTEREST CERTIFICATION**

To the best of my information and belief, I currently do not have an actual conflict of interest that would prevent me from fairly and impartially performing my duties in this acquisition. To the best of my information and belief, I currently do not have an apparent conflict of interest that, in the eyes of a reasonable person, may give the appearance of the possibility of impartiality in the performance of my duties in this acquisition. I will avoid conflicts of interest by withdrawing from the Selection Committee if the Agency receives any proposal involving organizations where:

1. To the best of my knowledge and belief, I or my spouse, minor child, or partner have a financial interest;
2. I am now, or have been, an officer, director, trustee, partner, consultant, or employee or otherwise similarly associated;
3. There exists any arrangement concerning my prospective employment, financial interest, or other similar association;
4. I have provided assistance in any form to the offeror in the preparation of their proposal;
5. I am a supervisor of anyone who is subject to one of the above listed conditions.

### **CONFIDENTIALITY OF INFORMATION CERTIFICATION**

I fully understand the confidential nature of the procurement process, including the evaluation of proposals and the selection of potential contractors. I agree to:

1. Return all evaluation-related materials to the Agency Project Manager;
2. Refuse to discuss these materials or the evaluation proceedings with any individual not directly involved in the evaluation; and,
3. Refer all inquiries or contacts concerning any aspect of the procurement process to the Chair of the Selection Committee.

I understand that an actual or apparent conflict of interest or breach of confidentiality, however innocent, may result in my removal from the Selection Committee.

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Name (Print)

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Signature

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Date